

Md.-Va. Briefs

Wiretap Evidence Is Rejected

NORFOLK, Va. (AP)—Crucial wiretap evidence in the cases of 25 men indicted last September by a special federal grand jury that investigated gambling in the Norfolk area has been thrown out by U.S. District Court Judge Walet E. Hoffman.

U.S. Attorney Brian P. Gettings, saying that without the ruled-out evidence "we have no evidence, no case," said the government plans to appeal the Tuesday ruling by Hoffman.

Hoffman's decision was handed down after a three-hour hearing and affects persons indicted on charges of using interstate telephone lines to promote illegal gambling or the conduct of an illegal gambling business involving five or more persons.

Hoffman, who had held a number of hearings on various aspects of the cases, ruled that authorization for the electronic surveillance was not properly given.

According to testimony, authorizations for the local wiretaps were signed by deputies in the criminal division of the U.S. Justice Department. They routinely signed the name of Will Wilson, former assistant attorney general in charge of the division.

Defense attorneys have maintained, however, the letters authorizing the wiretaps should have been signed by then Attorney General John N. Mitchell, because power to grant such authorization is "nondelegable."

It was the contention of Gettings and Assistant U.S. Attorney Roger Williams that there was a designated official to act on such authorization and the deputies signed his name in accord with "well-known and established agency procedure."